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Dated: \_\_\_\_\_

Docket No.: 04597/000N029-US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Eduardo Franco Queiroz

Application No.: 10/629,443

Confirmation No.: 1761

Filed: July 28, 2003

Art Unit: N/A

For: IMPROVEMENT APPLIED TO  
CONTINUOUS LINEAR SQUARE-FITTING  
MACHINE USED IN THE MILLING  
PROCESS OF COCONUT ENDOCARP  
(COCOS NUCIFERA L.)

Examiner: Not Yet Assigned

**SUBMISSION OF SUBSTITUTE DECLARATION AND POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

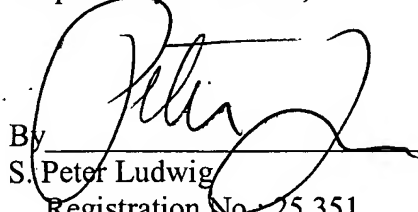
The original declaration filed in the above-identified patent application was found to be defective because it did not include the proper priority claim.

Accordingly, Applicants submit an executed substitute declaration with the mention of the European Application 03 016525.2 and Brazilian Application No. 002901.

This substitute declaration is submitted herewith.

Dated: April 19, 2004

Respectfully submitted,

  
By  
S. Peter Ludwig

Registration No.: 25,351  
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P.O. Box 5257  
New York, New York 10150-5257  
(212) 527-7700  
(212) 753-6237 (Fax)  
Attorneys/Agents For Applicant



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is described and claimed and for which a patent is sought on the invention entitled:

IMPROVEMENT APPLIED TO CONTINUOUS LINEAR SQUARE-FITTING MACHINE  
USED IN THE MILLING PROCESS OF COCONUT ENDOCARP (COCOS NUCIFERA  
L.)

the specification of which was filed on July 28, 2003 as Application No. 10/629,443.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein. I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigned more than twelve months prior to this application.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☐ no such foreign applications have been filed

☒ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

| Application Number | Country | Date of Filing | Priority Claimed<br>Under 35 USC 119 |
|--------------------|---------|----------------|--------------------------------------|
| 002901             | BR      | June 27, 2003  | <u>  x  </u> Yes No <u>      </u>    |
| EP 03 016525.2     | EP      | July 23, 2003  | <u>  x  </u> Yes No <u>      </u>    |
|                    |         |                | <u>      </u> Yes No <u>      </u>   |

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

| Application Number | Country | Date of Filing |
|--------------------|---------|----------------|
|                    |         |                |
|                    |         |                |
|                    |         |                |

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☒ no such U.S. provisional applications have been filed.

☐ such U.S. provisional application have been filed as follows:

| Application Number | Date of Filing | Priority Claimed<br>Under 35 USC 119 |
|--------------------|----------------|--------------------------------------|
|                    |                | <u>      </u> Yes No <u>      </u>   |
|                    |                | <u>      </u> Yes No <u>      </u>   |
|                    |                | <u>      </u> Yes No <u>      </u>   |

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☒ no such U.S./PCT applications have been filed.

☐ such U.S./PCT application have been filed as follows:

| Application Number | Date of Filing | Status<br>(Patented/Pending/Abandoned) |
|--------------------|----------------|--|
|                    |                |  |
|                    |                |  |
|                    |                |  |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the practitioners under Customer Number

07278

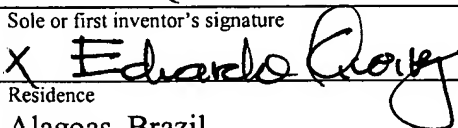
jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to S. Peter Ludwig, whose address is:

**Darby & Darby P.C.**  
P.O. Box 5257  
New York, New York 10150-5257

Please direct telephone calls to: S. Peter Ludwig at (212) 527-7770.

Please direct facsimiles to: (212) 753-6237

|   |      |
|---|------|
| Full name of sole or first inventor<br>Eduardo F. Queiroz   |      |
| Sole or first inventor's signature<br>X  | Date |
| Residence<br>Alagoas, Brazil  |      |
| Citizenship    Brazil   |      |
| Mailing Address<br>Rua Padre Teofanes A. Barros, 80, Maceio<br>57033-000 Alagoas,<br>BRAZIL                               |      |

|                                      |      |
|--------------------------------------|------|
| Full name of second inventor, if any |      |
| Second inventor's signature          | Date |
| Residence                            |      |
| Citizenship                          |      |
| Mailing Address                      |      |

|                                     |      |
|-------------------------------------|------|
| Full name of third inventor, if any |      |
| Third inventor's signature          | Date |
| Residence                           |      |
| Citizenship                         |      |
| Mailing Address                     |      |

|                                      |      |
|--------------------------------------|------|
| Full name of fourth inventor, if any |      |
| Fourth inventor's signature          | Date |
| Residence                            |      |
| Citizenship                          |      |
| Mailing Address                      |      |